

**MINUTES OF THE REGULAR MEETING OF THE
UPLAND CITY COUNCIL
FEBRUARY 13, 2023**

OPENING

The regular meeting of the Upland City Council was called to order by Mayor Bill Velto at 7:00 p.m. in the Council Chamber of the Upland City Hall.

1. ROLL CALL

Present: Mayor Bill Velto, Council Members James Breitling, Carlos A. Garcia, Shannan Maust, and Rudy Zuniga

Staff: City Manager Michael Blay, City Attorney Stephen P. Deitsch, and City Clerk Keri Johnson

2. ADDITIONS/DELETIONS TO AGENDA None

3. ORAL COMMUNICATIONS None

4. CLOSED SESSION None

5. INVOCATION Very Reverend Keith Yamamoto, Rector, St. Mark's Episcopal Church

6. PLEDGE OF ALLEGIANCE Councilmember Zuniga

7. PRESENTATIONS

Certificates of Completion were presented to the Upland Community Emergency Response Team (CERT)

8. CITY ATTORNEY

City Attorney Deitsch stated there was nothing to report.

9. ORAL COMMUNICATIONS

Larry Mendoza, Upland, wanted to commend City employees who assisted him when a tree fell on his home and when he contacted the City regarding illegal dumping of trash in the alley behind his home.

Mauricio Lopez, Upland, spoke about Ordinance No. 1975 and the restrictions on an accessory dwelling unit at his home.

Brian Taylor, Upland, suggested that half the employee referral bonus funds should be distributed after the new hire passes probation and the remaining half after they have been employed for 18 months.

Dennise Greenberg, Upland, stated concerns about crime in the City and suggested ways for the City to communicate with the residents regarding incidents.

10. CONSENT CALENDAR

Councilmember Garcia removed Consent Calendar Items 10D, 10E, and 10G for separate action. Motion by Councilmember Zuniga to approve the remainder of the Consent Calendar, seconded by Councilmember Breitling, and carried unanimously.

A. APPROVAL OF MINUTES

Approved the Regular Meeting Minutes of January 23, 2023.

B. 2ND READING OF ORDINANCE NO. 1976 RELATIVE TO THE STREET TREE ADVISORY COMMITTEE

Held second reading by title only, waived further reading, and adopted Ordinance No. 1976 adding Section 12.26.160 to Chapter 12.26 of Title 12 of the Upland Municipal Code relative to the Street Tree Advisory Committee.

C. 2ND READING OF ORDINANCE NO. 1977 ADDING REGULATIONS PROHIBITING UNLAWFUL POSSESSION OF CATALYTIC CONVERTERS

Held second reading by title only, waived further reading, and adopted Ordinance No. 1977 adding Section 8.44.120 to Chapter 8.44 of Title 8 of the Upland Municipal Code establishing regulations prohibiting the unlawful possession of catalytic converters in the City.

F. APPROVAL OF JANUARY WARRANT AND PAYROLL REGISTERS

Approved the January Warrant Registers (check numbers 41898-42187 and Direct Disbursements totaling \$13,837,245.84 and Payroll Registers totaling \$1,516,411.70 (check numbers 162934-162933 and Electronic Fund Transfers 38380-38878).

H. AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT NO 20-1002315 FOR THE METROLINK STATION ACCESSIBILITY IMPROVEMENT PROJECT PHASE II

Approved Amendment No. 1 to Cooperative Agreement No. 20-1002315 with the San Bernardino County Transportation Authority (SBCTA) for the purpose of designing and constructing safe pedestrian/bicycle accessibility improvements within the sphere of influence of the Upland Metrolink Station; and, authorized the City Manager to execute the Amendment and any future amendments within the City Manager's authority.

I. APPROVE A PURCHASE ORDER INCREASE WITH HOLLIDAY ROCK

Approved a purchase order increase in the amount of \$15,000 for Holliday Rock Company for Fiscal Year 2022-23.

J. PURCHASE OF FOOD WASTE COLLECTION PAILS

Approved the purchase of food waste collection pails and pail decals from Burrtec Waste Industries, Inc., in the amount of \$24,569.75 and increased the Burrtec purchase order by the same amount.

ITEMS REMOVED FOR SEPARATE ACTION

D. APPOINTMENTS AND REAPPOINTMENTS TO COMMITTEES

The Council thanked the applicants for their willingness to serve the community.

Motion by Councilmember Garcia to ratify the appointment of Sarah Lee, Monica Marroquin, Gregorio Pulido, and Stephanie Wells to the City Council Advisory Committee; and the appointment of Elizabeth Alvarez and Tara Anderson, and reappointment of Tommy Brooks, Ralph Cavallo, and Michelle Dazalla to the Parks, Arts, Recreation, and Community Services (PARCS) Advisory Committee; and the appointment of Garrett Damrath, John Ickis, and Andrew Rubio as advisory members to the Public Works Committee, seconded by Councilmember Breitling, and carried unanimously.

E. APPROVAL OF SIDE LETTERS BETWEEN CITY OF UPLAND AND VARIOUS EMPLOYEE ASSOCIATIONS FOR EMPLOYEE REFERRAL BONUS PROGRAM

City Manager Blay clarified the details of the disbursement of funds for the proposed bonus program.

Motion by Councilmember Garcia to adopt the side letter agreements with various employee associations for the creation of an employee referral bonus program, seconded by Councilmember Zuniga, and carried unanimously.

G. ANNUAL WEED ABATEMENT PROGRAM

Development Services Director Dalquest answered questions posed by the Council regarding the notification process, changes to the program, and outreach to inform residents of the program.

Motion by Councilmember Garcia to adopt Resolution No. 6705 declaring weeds, grasses and vegetation that are unmaintained, dead, or dying and rubbish on public rights-of-way and on private properties within the City to be a public nuisance and provide for the abatement thereof; authorize the mailing of notices to all persons where such nuisances exist; and set a public hearing date for June 12, 2023, seconded by Councilmember Breitling, and carried unanimously.

11. PUBLIC HEARINGS

A. ENCLAVE OFF-STREET VEHICLE CODE ENFORCEMENT

Lieutenant Duran presented the staff report, which is on file in the City Clerk's office. Lieutenant Duran then answered questions posed by the Council regarding costs incurred by the City, enforcement, and other private communities that have similar resolutions for enforcement.

Mayor Velto opened the public hearing and hearing no testimony, closed the public hearing.

Motion by Councilmember Garcia to adopt Resolution No. 6706 making the provisions of the California State Vehicle Code applicable to privately-owned and maintained roads and off-street parking facility, within the Enclave community (Tract #20366), generally held open for public use for vehicular

travel and parking, seconded by Councilmember Breitling, and carried unanimously.

12. COUNCIL COMMITTEE REPORTS

A. SPECIAL PUBLIC WORKS COMMITTEE MEETING, JANUARY 26, 2023

Councilmember Breitling provided a recap of the meeting. This was for information only and no action was required.

13. BUSINESS ITEMS

A. AN ORDINANCE AMENDING SECTION 5.04.280 OF THE UPLAND MUNICIPAL CODE CONCERNING REVOCATION OF BUSINESS LICENSES FOR UNLAWFUL POSSESSION OF CATALYTIC CONVERTERS

City Attorney Deitsch presented the staff report, which is on file in the City Clerk's Office.

Motion by Councilmember Maust to hold first reading by title only, waive further reading, and introduce Ordinance No. 1978 of the City Council of the City of Upland, California, amending Section 5.04.280 of the Upland Municipal Code concerning revocation of business licenses for unlawful possession of catalytic converters, seconded by Councilmember Zuniga, and carried unanimously.

14. COUNCIL COMMUNICATIONS

Councilmembers announced various activities throughout the community, including providing an update on the meetings they attended.


15. CITY MANAGER

City Manager Blay provided an update on I-10 construction closures and announced the new location of the Upland Farmer's Market.

16. ADJOURNMENT

Mayor Velto adjourned the meeting at 8:13 p.m. The next regularly scheduled City Council meeting is Monday, February 27, 2023.

SUBMITTED BY


Keri Johnson, City Clerk

APPROVED

February 27, 2023